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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/008,889	11/08/2001	William Peckham	CISCO-5020	5275

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EXAMINER
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REID, CHERYL M

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/008,889

Applicant(s)

PECKHAM ET AL.

Examiner

Cheryl M. Reid

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 9/24/05
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 1 recites the limitation "in said list of one or more sessions" There is insufficient antecedent basis for this limitation in the claim. Examiner is assuming that applicant intended to recite "... more active sessions." Proper correction is required.

***Response to Arguments***

3. Applicant's arguments with respect to claims 1-32 have been considered but are moot in view of the new ground(s) of rejection. Because new grounds of rejection are being applied against substantively unamended claims, this action is NON-FINAL.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. ***Claims (1, 9, 17, and 25), and (8,16, 24, and 32) are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellemore et al (US 6088728) hereinafter Bellemore and further in view of Bahl (US 20020095486).***

6. In regards to claim 1, 9, 17, and 25 Bellemore teaches of :

- A first memory storing a list of one or more ports (Fig 1, item 110)
- A second memory storing a list of one or more active sessions, each of said one or more active sessions identifying a port, a user identified on said port (Col 2, lines 20-35).

Bellemore teaches of updating a session (Col 6, lines 60-67) but does not explicitly teach of searching for a user. In an analogous art, Bahl teaches of searching for said user (paragraph 0012) and updating said session if said user is identified on another port (ie. Location) (paragraph 0014). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the above-mention features of Bahl into Bellemore's invention because this would allow the system's database to have an up-to-date record of sessions and locations of users. One of ordinary skill in the art at the time of invention would have been motivated for the reasons discussed by Bellemore (Col 4, lines 19-21).

7. In regards to claims 8, 16, 24, and 32, Bellemore teaches that network connectivity devices having one or more ports (Fig 1, item 110). Bellmore does not explicitly teach of searching for users. Bahl teaches on this aspect (Col 7, lines 20-25). See claim 1 for motivation.

8. *Claims (2, 10, 18 and 26), (3, 11, 19 and 27) are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellemore and Bahl as applied to claims 1, 9, 17, and 25 above, and further in view of Goldberg (US 6816455).*

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9. In regards to claims 2, 10, 18 and 26, neither Bellemore nor Bahl explicitly teach of the limitations of above- mentioned claims. Goldberg teaches of deactivating (deleting) sessions ....(Col 3, lines 40-50). See claim 1 for motivation.

10. In regards to claims 3, 11, 19 and 27, neither Bellemore nor Bahl explicitly teach of the limitations of above- mentioned claims. Goldberg teaches of deactivating (closing) sessions whose timestamps are expired (Col 19, lines 5-20). See claim 1 for motivation.

***11. Claims 4-5, 12-13, 20-21, 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellemore, Bahl as applied to claims 1, 9, 17, and 25 above, and further in view of Raab (US 5751967).***

12. In regards claims 4-5, 12-13, 20-21, 28 and 29, neither Bellemore nor Bahl explicitly teach of the limitations of the above-mentioned claims. Raab teaches in regards to identifies said user on any port with a Media Access Control address (Col 2, lines 55-63). Raab's invention relates to networking systems (Col 1, lines 5-20). It would have been obvious to one of ordinary skill in the art at the time of invention to incorporate the above-mentioned feature into Bellemore's invention because it would result in a more versatile system because it would extend its functionality to include systems that use MAC. It is for this reason that one of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modifications.

***13. Claims 6,14, 22 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellemore and Bahl as applied to claims 1,9,17, and 25 above, and further in view of Beadle (6766373).***

14. In regards to claims 6,14, 22 and 30 , refer to discussion regarding claims 1,9,17, and 25 in regards to the searching and updating limitations. Neither Bellemore nor Bahl explicitly teach of the remaining limitations. Beadle teaches of allowing a client browser to switch from one connection route to another route (i.e. using a different connection route implies that a connection is switching from one port to another, hence port hopping). Beadle teaches of port being enable (CoI 2, lines 60-65), the fact that the session is completed on the new route, implies that the port was enabled. Beadle is silent in regards to disabling a pod (i.e. connection to port or route cannot be made). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Beadle's invention to allow port to be disable because this would result in a more versatile or secure system. For example, one of ordinary skill in the art might want to restrict certain ports (routes) for specific data transmission (high priority, warnings, etc), thus if certain data did not meet that specific criteria, port (i.e. route) would be disabled One of ordinary skill in the art at the time of invention would have been motivated to make the above-mentioned modification to because it would result in a more efficient session tracking system.

***15. Claims 7,15,23, and 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Bellemore and Bahl as applied to claim 1 above, and further in view of Beadle and Raab.***

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16. In regards to claims 7,15,23, and 31 neither Bellemore nor Bahl explicitly teach of the claim limitations. Raab teaches about policy settings (Col 2, lines 55- 65, Col 3, lines 1-10). Raab is silent in regards to retaining policy settings of user at said port. Beadle implicitly teaches on this aspect (Col 2, lines 39-67, Col 3, lines 1-12). The fact that connection to new route is made without losing session information, implicitly teaches that the policy settings of the first connection (port, route) are employed in the second connection. See claim 6 for motivation.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl M. Reid whose telephone number is 571 272 3903. The examiner can normally be reached on Mon- Fri (7-3:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

cmr

  
BEATRIZ PRIETO  
PRIMARY EXAMINER